



U.S. Department of Justice

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Sylvia Baiz, Esq.
964 Fifth Avenue
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Re: United States v. Mario Raymond Fernandez and Ernesto Flores-Blanco
Criminal Case No. 07CR3405-W

Dear Ms. Mitchell and Ms. Baiz:

Pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G), I write to provide a written summary of the expert testimony that the United States intends to use pursuant to Federal Rules of Evidence 702, 703, and 705 during the jury trial in the above-referenced matter.

The United States intends to call Immigration and Customs Enforcement Agent Paul Lewenthal as an expert witness in alien smuggling methods of operation. Agent Lewenthal will testify about the modus operandi of alien smuggling organizations in the Calexico area, the coordination of smuggling ventures and the operation of these ventures for financial gain. A copy of Agent Lewenthal's summary of qualifications is attached to this letter.

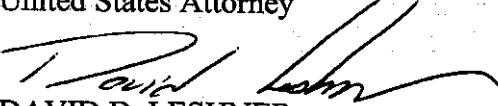
Agent Lewenthal began his career with the U.S. Border Patrol Agent in 1992. He has participated in more than 600 investigations related to alien smuggling in the Imperial County area. As part of his investigative duties, Agent Lewenthal has debriefed numerous individuals involved in alien smuggling concerning current and past practices or methods of operation of alien smuggling organizations in the Calexico area.

Agent Lewenthal's opinions will be based on the following, among other things: cases he has personally investigated; cases in which he has assisted in the investigation; arrests in which he has been involved; interviews with informants, defendants, cooperating defendants, and suspected smugglers; contacts with plainclothes agents; ongoing communication with fellow agents and other federal and state law enforcement personnel; information obtained from other shared intelligence; and formal training from the academy.

Pursuant to Federal Rule of Criminal Procedure 16(b)(1)(C), the United States hereby requests a similar written summary regarding experts you may call at trial.

Sincerely,

KAREN P. HEWITT
United States Attorney


DAVID D. LESHNER
Assistant United States Attorney

ice of Investigations

U.S. Department of Homeland Security
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 San Diego, CA 92101



**U.S. Immigration
and Customs
Enforcement**

Paul Lewenthal
 Special Agent
 Immigration and Customs Enforcement
 Resident Agent in Charge
 Calexico, California
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I am a Special Agent with Immigration and Customs Enforcement (ICE) and have been so employed since its inception on March 1, 2003. Prior to that I was employed as a Special Agent with the United States Border Patrol since March 2002. I began my career with the United States Border Patrol on August 3, 1992 in El Centro, California. I was promoted to Supervisory Border Patrol Agent on June 06, 1998 in El Centro, California where I remained until March 2002. My entire federal law enforcement career has been spent in the Imperial County area of California.

My formalized training consists of course work offered by the Federal Law Enforcement Training Center (FLETC) at Glynco, Georgia. Specifically, I attended a five-month Border Patrol Academy and completed another six months of field and classroom training in El Centro, California. During this formalized training at FLETC, I received specific training relative to alien and narcotics smuggling techniques, smuggling trends, and smuggling organizations.

During my employment as a Border Patrol Agent and as a Special Agent, I have participated in more than 600 alien smuggling related investigations. During these investigations I have interacted and spoken with individuals who have first-hand knowledge and are personally aware of current and past practices or methods of operation utilized by Alien Smuggling Organizations (ASOs) both in Mexicali, Mexico and in Imperial County, California. Many of these individuals are themselves involved with the alien smuggling organizations.

On a regular and on-going basis, specifically in relation to alien smuggling investigations, I interact and share information with law enforcement officers from Customs and Border Protection, Border Patrol, state and local police agencies. I have directly contacted and communicated with individuals previously arrested for Alien Smuggling related offenses; all of which have provided current and specific information regarding their organizations structure, methods of operations from Mexico to the interior of the United States, their fees charged and collection processes.

Through the utilization of confidential informants (CIs), I have been able to learn the day-to-day activities, duties and responsibilities of each member within an ASO. I have successfully utilized these CIs to infiltrate and dismantle ASOs operating in Imperial County, California.